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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE
WRIT PETITION NO. 2746 OF 1995

Sonia Thakur Rajpal .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respnodents

Mr. S.P. Kanuga with Ms. P.P. Bhosale for petitioner.
Mrs.S.S. Bhende, AGP for State.

**CORAM : B. H. MARLAPALLE &
D. B. BHOSALE,JJ.**

Date : March 24, 2006.

P.C.:

1. The petitioner was aggrieved by the order passed by the Scrutiny Committee rejecting her claim that she belongs to Bawa Nomadic Tribe as recognised by the Government of Maharashtra. She was seeking admission in the degree course in Architecture with the J.J. School of Arts against a reserved seat for Nomadic Tribe - Bawa. While granting Rule, interim order in terms of prayer clause (b) was also passed by this court on 21/6/1995 and as a result thereof the petitioner came to be admitted to the same course.

2. In the case of Vashu Chellaram Rajpal vs. The State of Maharashtra and ors. (Writ Petition No.4090 of 1992) a Division Bench of this court dealt with

similar claim of Bawa community candidate and by
 relying upon the decision of the Apex Court in the
 case of State of Maharashtra and ors. Vs. Kum.
 Tanuja (1999) 2 SCC 462 allowed the petition by
 setting aside the view taken by the Scrutiny
 Committee.

3. During the pendency of the petition, the
 petitioner has already completed her education and,
 therefore, we need not look into the social status
 claim of the petitioner at this stage. In case she
 desires to seek any further benefits on the basis that
 she belongs to Bawa Nomadic Tribe, she will have to
 approach the concerned Scrutiny Committee for
 adjudication of her claim afresh on the basis of the
 law laid down by the Apex Court in the case of Kum.
 Tanuja (Supra).

4. We, therefore, dispose off the petition with a
 direction that in case the petitioner approaches the
 Scrutiny Committee concerned within a period of two
 months from today with a request to re-adjudicate her
 social status claim, the verification of the same
 shall be done as expeditiously as possible and
 preferably within a period of six months from her
 approach by following the law laid down in the case of
 Kum. Tanuja.

5. Rule made absolute in terms of the above
order. No costs.

(D.B. Bhosale,J.)

(B.H. Marlapalle, J.)